

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1-25. (Canceled)

26. (Currently Amended) A method of performance upgrading for a receiving terminal, comprising:

generating information related to at least one parameter for the performance upgrading within the receiving terminal, wherein the information is included in a message of a messaging service for the receiving terminal; and

transmitting the message using the messaging service to the receiving terminal to allow the receiving terminal to upgrade its performance by changing at least one corresponding parameter stored within the receiving terminal using the message transmitted to the receiving terminal, wherein the information includes a value used for certifying the performance upgrading within the receiving terminal, and the at least one corresponding parameter is changed when the value included in the information is identical to a previously stored value within the receiving terminal or a value inputted by a user of the receiving terminal.

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27. (Currently Amended) The method of claim 26, wherein the ~~information includes a value used for certifying the performance upgrading within the receiving terminal~~ comprises a password.

28. (Currently Amended) The method of claim ~~[[27]]~~ 26, wherein the value is at least one of a password, key value, and a security code.

29. (Currently Amended) The method of claim ~~[[27]]~~ 26, wherein the value is pre-set in each terminal.

30. (Canceled)

31. (Currently Amended) The method of claim ~~[[27]]~~ 26, wherein the message of the messaging service is discarded when the value included in the information is not identical to ~~the~~ the previously stored value within the receiving terminal or ~~a~~ the value inputted by ~~a receiving~~ the user.

32. (Previously Presented) The method of claim 26, wherein the at least one parameter is used for a software upgrading within the receiving terminal.

33. (Previously Presented) The method of claim 26, wherein the messaging service is at least one of a short message service (SMS) messaging service, an enhanced message service (EMS) messaging service, an instant message service (IMS) messaging service, and a multimedia message service (MMS) messaging service.

34. (Previously Presented) The method of claim 26, wherein the value is used for certifying a sender of the message.

35. (Previously Presented) The method of claim 26, wherein the information is included in a certain field of the message.

36. (Currently Amended) A method of performance upgrading for a receiving terminal, comprising:

receiving a message of a messaging service via a network, wherein the message of the messaging service includes information related to at least one parameter for the performance upgrading within the receiving terminal;

comparing a password within the received message with a previously stored value in a memory of the receiving terminal;

storing the received message; and

upgrading a performance of the receiving terminal by changing at least one corresponding parameter stored within the receiving terminal using the received message of the

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messaging service, wherein the upgrading is performed only when the password within the received message is identical to the previously stored value in the memory.

37. (Previously Presented) The method of claim 36, further comprising: by a sending terminal before receiving the message:

forming the message by inputting a performance controlling parameter to be changed into a performance controlling parameter field of the message and by inputting a key value corresponding to the mobile terminal to a performance controlling key value field of the message; and

transmitting the formed message to the receiving terminal.

38. (Currently Amended) The method of claim 36, wherein the information includes a ~~value used~~ the password for certifying the performance upgrading within the receiving terminal.

39-40. (Canceled)

41. (Currently Amended) The method of claim ~~[[38]]~~ 36, wherein the received message is discarded when the ~~value~~ password included in the information is not identical to a the previously stored value within the receiving terminal ~~or a value inputted by a receiving user.~~

42. (Previously Presented) The method of claim 38, wherein the information is included in a certain field of the message.

43. (Currently Amended) The method of claim 42, wherein the certain field comprises:

a first sub-field configured to contain a performance controlling parameter to be changed; and

a second sub-field to denote a kind of codes inputted to the first sub-field.

44. (Currently Amended) The method of claim 43, wherein a sub-parameter of the first sub-field comprises:

a performance controlling key value field where the ~~value~~ password is inputted; and

a performance controlling parameter field where the performance controlling parameter value to be changed is inputted.

45. (Previously Presented) The method of claim 43, wherein the first sub-field is inputted by an octet unit.

46. (Previously Presented) The method of claim 43, wherein a prescribed byte notifies a change of the performance controlling parameter is inputted in a first octet of the first sub-field and a change value for the performance controlling parameter is inputted to a second octet.

47. (Currently Amended) A mobile communication apparatus, comprising:

a transceiver to transmit and receive data;

a memory to store the data from the transceiver or from an external source; and

a processor cooperating with the transceiver and the memory to perform:

receiving a message of a messaging service via a network, wherein the message of the messaging service includes information related to at least one parameter for the performance upgrading within a receiving terminal,

comparing a password within the received message with a value input by a user of the receiving terminal,

storing the received message in the memory, and

upgrading a performance of the receiving terminal by changing at least one corresponding parameter stored within the receiving terminal using the received message of the messaging service, wherein the upgrading is performed only when the password is identical to the value input by the user of the receiving terminal.

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48. (Currently Amended) A method for changing a parameter of a mobile telecommunication terminal, comprising:

forming a message including a parameter to be changed in a mobile telecommunication terminal; and

transmitting the message having a key-value-password to change a pre-stored parameter that controls a performance of the mobile telecommunication terminal,

wherein the key value is used for a certification of a sender of the message and the pre-stored parameter of the mobile telecommunication terminal is changed when the key-value-password contained in the message is identical to a previously stored value in the mobile telecommunication terminal.

49. (Currently Amended) A method for changing a performance controlling parameter of a mobile telecommunication terminal, comprising:

receiving a message from a network, wherein the message includes a key value of a mobile telecommunication terminal and a new performance controlling parameter of the mobile telecommunication terminal to be changed, wherein the key value is used to certify a sender of the message;

storing the key value and the new performance controlling parameter in a memory;

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replacing a previously stored performance controlling parameter with the new performance controlling parameter if a certain condition is met only when the stored key value corresponds to a previously input password; and

controlling a performance of the mobile telecommunication terminal based on the new performance controlling parameter.